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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [UG](#)
SUBJECT: UGANDA -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Uganda of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Uganda and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Uganda of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Uganda,s country narrative in the 2009 TIP Report:

UGANDA (TIER 2)

Uganda is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Ugandan children are trafficked within the country for forced labor in the fishing, agricultural, and domestic service sectors, as well as for commercial sexual exploitation; they are also trafficked to other East African and European countries for the same purposes. Karamojong women and children are sold as slaves in cattle markets or by intermediaries and are subsequently forced into domestic servitude, sexual exploitation, cattle herding, and begging. Security companies in Kampala recruit Ugandans to migrate and work as security guards in Iraq where sometimes their travel documents and pay have been withheld as a means to restrain them and coerce them into continued labor. Pakistani, Indian, and Chinese workers are trafficked to Uganda, and Indian networks traffic Indian children to the country for sexual exploitation. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, and Tanzania are trafficked to Uganda for agricultural labor and commercial sexual exploitation. Until August 2006, the terrorist rebel organization, Lord,s Resistance Army (LRA), abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters. At least 711 additional people, mostly children, were abducted by the LRA between December 2007 and January 2009 in the Central African Republic, the DRC, and southern Sudan. Human trafficking of Ugandan children for the forcible removal of body parts reportedly is widespread; so-called witchdoctors seek various body parts of live victims for traditional medical concoctions commonly purchased to heal illness, foster economic advancement, or hurt enemies.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant overall efforts, the government did not show progress in prosecuting human trafficking offenses and punishing trafficking offenders. In addition, the government,s provision of protective victim services remained weak and sex trafficking victims continued to be arrested and sometimes punished.

Recommendations for Uganda: Increase efforts to prosecute, convict, and punish trafficking offenders; enact and implement the newly passed comprehensive anti-trafficking legislation; investigate and punish labor recruiters responsible for knowingly sending Ugandans into forced labor abroad; and develop further mechanisms for providing, in partnership with NGOs, protective services to all types of trafficking victims.

Prosecution

The government,s punishment of trafficking offenders did not improve in 2008; however, extensive training of law enforcement officials and the establishment of an anti-trafficking police unit occurred late in the reporting period. The government reported no prosecutions or convictions compared to several trafficking convictions

obtained the previous year. In 2008, the Minister of Internal Affairs partnered with Uganda's 102 female parliamentarians to advance draft comprehensive anti-trafficking legislation in Parliament. In early April 2009, the Parliament passed the Anti-Trafficking in Persons Act of 2008, which prescribes penalties of 15 years, to life imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. The act will become law 45 days from the date of passage. In anticipation of the law's enactment, the government established a five-person anti-trafficking police unit within the Ugandan Police Force's (UPF) Child and Family Protection Unit (CFPU) in January 2009. Law enforcement officials investigated a number of suspected trafficking cases during the reporting period, but did not secure convictions of any trafficking offenders. For example, in November 2008, police in Rakai District arrested a Rwandan woman as she attempted to sell a 15-year old Rwandan boy. She was remanded to prison in Kampala; the case is pending before the court. Immigration officials posted at the border rescued 12 Tanzanian children from a Tanzanian trafficker who had promised to pay their school fees in Uganda.

After receiving foreign anti-trafficking training, 27 Ugandan instructors from the UPF, Immigration Department, and Ministry of Gender, Labor, and Social Development (MGLSD), in turn trained 2,010 colleagues in a series of one-day sessions in late 2008. The instructors distributed a UPF-developed 25-page pocket manual for first responders. The Inspector General of Police issued an order requiring all police officers to receive specialized anti-trafficking training.

Protection

The Ugandan government showed some efforts to offer initial protection to children demobilized from the ranks of the LRA, including trafficking victims, though it did less to care for victims of other types of trafficking. Lacking resources to provide direct assistance, it typically referred identified victims to NGOs. During the reporting period, the UPF referred 12 child trafficking victims to a local NGO's shelter. The UPF's January 2009 memorandum of understanding with the same NGO allowed for the placement of the NGO's social workers in the Central Police Station and in stations in two other districts to assist trafficking victims with legal, medical, and psychological services. The government also repatriated a child trafficking victim to Rwanda and assisted IOM in repatriating two female Ugandan victims by issuing travel documents. In 2008, the Ugandan military's Child Protection Unit (CPU) received 60 children returning from LRA captivity; children were processed at transit shelters before being transported to NGO-run rehabilitation centers for longer-term care. The government provided each child with non-food items and approximately \$50 for resettlement. In December 2008, the Governments of Uganda, the DRC, and Southern Sudan launched a joint military operation against the LRA in the DRC's territory, enabling the rescue of 346 people, including 127 children; as of this Report's writing, 10 Ugandan children were transferred to a rehabilitation center in northern Uganda. The government continued to remove Karamojong children in possible trafficking situations from the streets of Kampala and transferred them to two shelters in Karamoja. Local governments also convened child labor committees that instituted local bylaws against child labor, monitored the working conditions of children, and counseled parents whose children were not in school. The government does not have a formal system to identify victims among high risk groups and potential victims are sometimes prosecuted for immigration or prostitution violations. The Minister of Internal Affairs possesses the authority to allow foreign victims to remain in Uganda to assist with investigations, but this authority was not used and most potential victims were quickly deported to their country of origin. The government encouraged victims of sex trafficking to testify against their exploiters.

Prevention

The government sustained its efforts to prevent human trafficking through increased public awareness efforts during the year. The Parliamentary Committee on Defense and Internal Affairs conducted extensive and well-publicized hearings on the draft Bill for the Prohibition of Trafficking in Persons. In December 2008 and January 2009, the UPDF (Ugandan People's Defense Force) airdropped flyers to LRA abductees in eastern DRC directing them to locations for rescue. The government also continued its use of local language radio spots to persuade abducted children and their captors to surrender. In February 2009, the government established a 15-member inter-ministerial anti-trafficking task force comprised of police, immigration, and MGLSD officials. The police announced the availability of a new hotline to report trafficking cases in the same month. Joint government-NGO efforts to reduce the demand for commercial sex acts included a billboard campaign in Uganda's major cities discouraging "sugar daddies,"⁸ and arrests of men found procuring females in prostitution on disorderly conduct charges. The government provided two Ugandan battalions being deployed to the African Union Mission in Somalia with training on human trafficking from the UPDF's Human Rights Desk and CPU personnel. Ugandan forces deployed to the DRC in December 2008 received refresher briefings on the treatment of children abducted by the LRA; each deployed unit contained two to five child protection officers. Uganda has not ratified the 2000 UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been

placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for

translation costs should contact their regional bureau,s EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: What progress has Uganda made in the past year?

A: In April 2009, the Parliament passed the Anti-Trafficking in Persons Act. The government established a five-person anti-trafficking police unit within the Ugandan Police Force,s Child and Family Protection Unit. After receiving foreign anti-trafficking training, 27 Ugandan instructors from the police, Immigration Department, and Ministry of Gender, Labor, and Social Development in turn trained 2,010 colleagues in a series of one-day sessions. The Ugandan military,s Child Protection Unit received 60 children returning from LRA captivity; children were processed at transit shelters before being transported to NGO-run rehabilitation centers for longer-term care. The government provided each child with non-food items and approximately \$50 for resettlement. The Ugandan military airdropped flyers to LRA abductees in eastern DRC directing them to locations for rescue. The government also continued its use of local language radio spots to persuade abducted children and their captors to surrender. Local governments convened child labor committees that instituted local bylaws against child labor, monitored the working conditions of children, and counseled parents whose children were not in school.

Q2: What can Uganda do to further the fight against trafficking in persons?

A: Despite significant overall efforts, the government did not show progress in prosecuting human trafficking offenses and punishing trafficking offenders. In addition, the government,s provision of protective victim services remained weak and sex trafficking victims continued to be arrested and sometimes punished. To advance its anti-trafficking efforts, the Government of Uganda could: increase efforts to prosecute, convict, and punish trafficking offenders; enact and implement the newly passed comprehensive anti-trafficking legislation; investigate and punish labor recruiters responsible for sending Ugandans into exploitative working conditions abroad; and develop further mechanisms for providing, in partnership with NGOs, protective services to all types of trafficking victims.

¶12. The Department appreciates posts, assistance with the preceding action requests.

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